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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

VS.

JAMES DONDERO, NANCY DONDERO, AND THE
DUGABOY INVESTMENT TRUST,

Defendants.

§ § § § § § § § § § §

Adv. Proc. No. 21-03003-sgj

Case No. 3:21-cv-00881-X

| | | |
|------------------------------------|---|-----------------------------|
| HIGHLAND CAPITAL MANAGEMENT, L.P., | § | |
| Plaintiff, | § | |
| vs. | § | Adv. Proc. No. 21-03005-sgj |
| NEXPOINT ADVISORS, L.P., JAMES | § | |
| DONDERO, NANCY DONDERO, AND | § | Case No. 3:21-cv-00881-X |
| THE DUGABOY INVESTMENT TRUST, | § | |
| Defendants. | § | |
| HIGHLAND CAPITAL MANAGEMENT, L.P., | § | |
| Plaintiff, | § | |
| vs. | § | Adv. Proc. No. 21-03006-sgj |
| HIGHLAND CAPITAL MANAGEMENT | § | |
| SERVICES, INC., JAMES DONDERO, | § | Case No. 3:21-cv-00881-X |
| NANCY DONDERO, AND THE DUGABOY | § | |
| INVESTMENT TRUST, | § | |
| Defendants. | § | |
| HIGHLAND CAPITAL MANAGEMENT, L.P., | § | |
| Plaintiff, | § | |
| vs. | § | Adv. Proc. No. 21-03007-sgj |
| HCRE PARTNERS, LLC (n/k/a NexPoint | § | |
| Real Estate Partners, LLC), JAMES | § | Case No. 3:21-cv-00881-X |
| DONDERO, NANCY DONDERO, AND | § | |
| THE DUGABOY INVESTMENT TRUST, | § | |
| Defendants. | § | |

**APPENDIX IN SUPPORT OF OPPOSITION TO DEFENDANTS’ MOTION TO STRIKE
APPENDIX IN SUPPORT OF PLAINTIFF’S REPLY MEMORANDUM
OF LAW IN FURTHER SUPPORT OF ITS MOTION FOR PARTIAL
SUMMARY JUDGMENT AGAINST THE ALLEGED AGREEMENT DEFENDANTS**

| <u>Ex.</u> | <u>Description</u> | <u>Appx.#</u> |
|------------|--|---------------|
| 1. | Declaration of Hayley R. Winograd in Support of Opposition to Defendants' Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of Its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants | 1-7 |

Dated: March 18, 2022

PACHULSKI STANG ZIEHL & JONES LLP

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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

§ § § § § § § § § § § § § § § §

Case No. 3:21-cv-00881-X

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

VS.

NEXPOINT ADVISORS, L.P., JAMES
DONDERO, NANCY DONDERO, AND
THE DUGABOY INVESTMENT TRUST,

Defendants.

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

VS.

HIGHLAND CAPITAL MANAGEMENT
SERVICES, INC., JAMES DONDERO,
NANCY DONDERO, AND THE DUGABOY
INVESTMENT TRUST,

Defendants.

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

VS.

HCRE PARTNERS, LLC (n/k/a NexPoint Real Estate Partners, LLC), JAMES DONDERO, NANCY DONDERO, AND THE DUGABOY INVESTMENT TRUST.

Defendants.

**DECLARATION OF HAYLEY R. WINOGRAD IN SUPPORT OF OPPOSITION TO
DEFENDANT’S MOTION TO STRIKE APPENDIX IN SUPPORT OF REPLY
MEMORANDUM OF LAW IN FURTHER SUPPORT OF MOTION FOR PARTIAL
SUMMARY JUDGMENT AGAINST THE ALLEGED AGREEMENT DEFENDANTS**

I, Hayley R. Winograd, pursuant to 28 U.S.C. § 1746, under penalty of perjury, declare as follows:

1. I am an attorney in the law firm of Pachulski, Stang, Ziehl & Jones LLP, counsel to Highland Capital Management, L.P., the reorganized debtor in the above-captioned chapter 11 case and plaintiff in the above-referenced adversary proceedings, and I submit this Declaration in support of *Opposition to Defendant's Motion to Strike Appendix in Support of Plaintiff's Reply Memorandum of Law in Further Support of its Motion for Partial Summary Judgment Against the Alleged Agreement Defendants* (the "Opposition"). I submit this Declaration based on my personal knowledge and review of the documents listed below.

2. Plaintiff produced to HCMS the HCMS Amortization Schedule on June 9, 2021. Attached as Exhibit A is a true and correct copy of the email transmitting the document production.

Dated: March 18, 2022

/s/ Hayley R. Winograd
Hayley R. Winograd

EXHIBIT A

From: "Hayley R. Winograd" <hwinograd@pszjlaw.com>
Date: Wed Jun 09 22:25:46 EDT 2021
To: "'Lauren Drawhorn'" <lauren.drawhorn@wickphillips.com>,"Jason Rudd" <jason.rudd@wickphillips.com>
Cc: "John A. Morris" <jmorris@pszjlaw.com>
Subject: FW: HCMLP Document Production to HCMS Adv. Proc. 21-3006

Lauren and Jason,

Below please find the link and password to the Debtor's production in response to Highland Capital Management Services, Inc.'s First Set of Discovery Requests.

We will send a supplemental production in a separate email.

Thanks,

Hayley

Hayley R. Winograd
Pachulski Stang Ziehl & Jones LLP
Tel: 212.561.7700 | Fax: 212.561.7777
hwinograd@pszjlaw.com



Los Angeles | San Francisco | Wilmington, DE | New York | Houston

Password: LKJ*57=

HCMS000001 - HCMS000519



Pachulski IT has shared 7 files.



7 files • 20.1 MB total • Expires 06/23/2021

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ZIP

2.4 MB

HCMS RFP No. 13.zip

ZIP

3 MB

HCMS RFP No. 23.zip

ZIP

6.7 MB

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| <div></div> <div>HCMS RFP No. 4.zip</div> | |
| <div>ZIP</div> | 4.5 MB |

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| <div></div> <div>HCMS RFP No. 7.zip</div> | |
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